

In re Patent Application of:

Rosen et al.

Docket No.: PF112P1D2

Application No.: 10/023,584

Confirmation No.: 4809

Filed: December 21, 2001

Art Unit: 1647

For: Antibodies to Human Vascular Endothelial

Growth Factor 2 (as amended)

Examiner: R. S. Landsman

SEVENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorney for Applicants hereby directs the Examiner's attention to references GI-GK listed on the attached Form PTO/SB/08. Copies of the references are enclosed.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to take appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

10/06/2004 RFEKADU1 00000076 083425 10023584

Pursuant to 37 C.F.R. § 1.97(c), because this Information Disclosure Statement is being submitted after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action, or a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution, the Patent and Trademark Office will consider this Information Disclosure Statement if it is accompanied by the fee as specified in 37 C.F.R. § 1.17(p).

Accordingly, the Patent & Trademark Office is hereby authorized to charge our Deposit Account No. 08-3425 in the amount of \$180.00 as payment of the required fee, as itemized on the Fee Transmittal Sheet submitted concurrently herewith. The Patent & Trademark Office is also authorized to charge any additional required fee or credit any overpayment in connection with this submission to our Deposit Account No. 08-3425.

Dated: 005, 2004

Respectfully submitted,

Melissa J. Pytel

Registration No.: 41,512

HUMAN GENOME SCIENCES, INC.

14200 Shady Grove Road Rockville, Maryland 20850

(301) 610-5764

MMW/MJP/ba



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Sheet

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PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
ork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PF112P1P1D2

Substitute for form 1449A/B/PTO

Application Number 10/023,584-Conf. #4809

INFORMATION DISCLOSURE Filing Date December 21, 2001

First Named Inventor Craig A. Rosen

Art Unit 1647

[Use as many sheets as necessary]

Examiner Name R. S. Landsman

Attorney Docket Number

U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			

1

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁸ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Cite No.		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²		
	GI	JOOSTEN et al., "The production of antibody fragments and antibody fusion proteins by yeasts and filamentous fungi," <i>Microbial Cell Factories</i> 2:1 (Jan. 30, 2003).			
	GJ	SKERRA et al., "Assembly of a functional immunoglobulin Fv fragment in Escherichia coli," <i>Science</i> 240(4855):1038-1041 (May 20, 1988) (abstract only).			
	GK	CHANG et al., "Escherichia coli secretion of an active chimeric antibody fragment," Science 240(4855):1041-1043 (May 20, 1988) (abstract only).			

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner			Date		
Signature	İ		Considered		

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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IN LIEU OF PTO/SB/17 (10-03)
*** Please note request to charge additional fees during the pendency of the application.

The account reques		ila, go	udditt	0,10,	rees during the periodicity of the application
CÉPO ANGMITTAL					Complete if Known
FÉETRANSMITTAL		Applic	ation	Numb	er 10/023,584-Conf. #4809
for FY 2004		Filing	Date		December 21, 2001
		First I	Named	Inver	ntor Craig A. Rosen
Effective 10/01/2003. Patent fees are subject to annual revision.		Exam	iner Na	ame	R. S. Landsman
Applicant claims small entity status. See 37 CFR 1.27		Art Ur	nit		1647
TOTAL AMOUNT OF PAYMENT (\$) 180.00		Attorn	ey Do	ket No	o. PF112P1D2
METHOD OF PAYMENT (check all that apply)				FEE	CALCULATION (continued)
Check Credit Money Other None	3. A	ADDITIO	ONAL	FEES	·
Card Order Care I Trone					
X Deposit Account:	Laro	e Entity	Small	Entity	
Deposit Account 08-3425	Fee	Fee	Fee	Fee	- For Description
Number	Code	(\$)	Code	(\$)	Fee Description Fee Pai
Deposit Account Human Genome Sciences, Inc.	1051	130	2051	65	Surcharge – late filing fee or oath
Name The Director is authorized to: (check all that apply)	1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.
X Charge fee(s) indicated below X Credit any overpayments	1053	130	1053	130	Non-English specification
	1812		1812		For filing a request for ex parte reexamination
X Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee					Requesting publication of SIR prior to
to the above-identified deposit account.	1804	920*	1804	920*	Examiner action
X application and additional fee(s) during the <i>pendency</i> of the	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month
1. BASIC FILING FEE	1252	420	2252	210	Extension for reply within second month
Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month
Fee Fee Fee Fee Fee Fee Paid Code (\$) Code (\$)	1254	1,480	2254	740	Extension for reply within fourth month
1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing
1005 160 2005 80 Provisional filing fee	1451	1,510	1451		
SUBTOTAL (1) (\$) 0.00	1452	110	2452	55	Petition to revive – unavoidable
<u> </u>	1453	1,330	2453	665	Petition to revive - unintentional
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Extra Fee from	1501	1,330	2501	665	Utility issue fee (or reissue)
Claims below Fee Paid	1502	480	2502	240	Design issue fee
Total Claims20** = x =	1503	640	2503	320	Plant issue fee
Independent -3** = x = =	1460	130	1460	130	Petitions to the Commissioner
Multiple Dependent =	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
Large Entity Small Entity	1806	180	1806	180	Submission of Information Disclosure Stmt 180.00
Fee Fee Fee Code (\$) Fee Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1202 18 2202 9 Claims in excess of 20	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1201 86 2201 43 Independent claims in excess of 3 1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))
1204 86 2204 43 ** Reissue independent claims	1801	770	2801	385	Request for Continued Examination (RCE)
over original patent 1205 18 2205 9 ** Reissue claims in excess of 20	1802	900	1802	900	Request for expedited examination of a design application
and over original patent	Other	fee (spe	cify)		
SUBTOTAL (2) (\$) 0.00	*Red	uced by E	Basic Fi	ing Fee	Paid SUBTOTAL (3) (\$) 180.00
** or number previously paid if greater: For Reissues, see above					

SUBMITTED BY	(Complete	(Complete (if applicable))		
Name (Print/Type) Melissa J. Pytel	Registration No. (Attorney/Agent) 41,512	Telephone	(301) 610-5764	
Signature	7	Date	1015104	